



# **THE ATTORNEY GENERAL OF TEXAS**

**AUSTIN, TEXAS 78711**

**JOHN L. HILL  
ATTORNEY GENERAL**

**October 23, 1974**

**Mr. Richard C. Gibson  
Director, University of Texas  
System Law Office  
601 Colorado Street  
Austin, Texas 78701**

**Open Records Decision No. 53**

**Re: The availability of  
student records at a  
university.**

**Dear Mr. Gibson:**

**Pursuant to Article 6252-17a, V. T. C. S., the Open Records Act, a former student at the University has requested permission to view her records on file at Teacher Placement Service, The University of Texas at Austin.**

**Your letter explains that the University maintains a Teacher Placement Service to assist students in finding satisfactory employment following graduation. A complete file with the Service consists of:**

- 1. A personal data sheet;**
- 2. Three references;**
- 3. Student teaching evaluations;**
- 4. Three pictures (optional); and**
- 5. One transcript**

**The particular ex-student involved in this decision has not registered with the Teacher Placement Service. However, The College of Education automatically sends to the Service copies of all letters of recommendation and the student teaching evaluation forms.**

**While you are willing to make most of the file available to the ex-student you ask our determination under Section 7 of the Open Records Act with reference to:**

- 1. personal letters of reference; and**
- 2. student teaching evaluation forms.**

Mr. Richard C. Gibson, page 2

It is your position that these parts of the files of the Teacher Placement Service are unavailable under Subsections 3(a) (1) and 3(a) (11) of Article 6252-17a, V. T. C. S., which provide:

Sec. 3(a) All information collected, assembled, or maintained by governmental bodies pursuant to law or ordinance or in connection with the transaction of official business is public information and available to the public during normal business hours of any governmental body, with the following exceptions only:

(1) information deemed confidential by law, either Constitutional, statutory, or by judicial decision;

. . .

(11) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than one in litigation with the agency;

. . .

Subsection 3(a) (11) would be applicable to these instruments, we believe, if the person seeking them were a member of the public. See Open Records Decision No. 20 (1974).

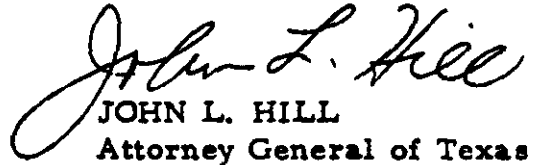
Since we know of no law which would make these particular records confidential under Subsection 3(a) (1), we are of the opinion that Subsection 3 (a) (14) is applicable in this situation. It provides an additional exception to the general availability of Section 3(a) and says that among the items excepted from disclosure are:

(14) student records at educational institutions funded wholly, or in part, by state revenue; but such records shall be made available upon request of educational institution personnel, the student involved, or that student's parent, legal guardian, or spouse.

Mr. Richard C. Gibson, page 3

Since the requestor has not registered with the Placement Service, and her relationship to the University is that of student only, it would seem to us that whatever records the University has maintained as to her were maintained as student records and therefore are to be made available to her upon her request.

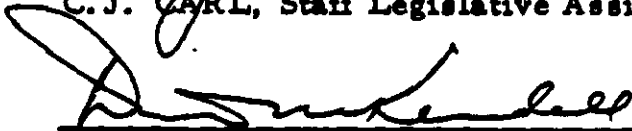
Very truly yours,

  
JOHN L. HILL  
Attorney General of Texas

APPROVED:



C. J. CARL, Staff Legislative Assistant



DAVID M. KENDALL, Chairman  
Opinion Committee

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